

### **REMARKS**

In the final Office Action mailed March 10, 2009 from the United States Patent and Trademark Office, claims 1-4, 9, 10 and 14-20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,982,804 to Frolik et al. (hereinafter “Frolik”), in view of U.S. Patent No. 6,603,565 to Scheidig et al. (hereinafter “Scheidig”), and U.S. Patent No. 7,196,803 to Simpson et al. (hereinafter “Simpson”), claims 5 and 6 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Frolik, Scheidig, and Simpson in view of U.S. Patent No. 6,111,654 to Cartier et al. (hereinafter “Cartier”), claim 7 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Frolik, Scheidig, Simpson, and further in view of U.S. Patent No. 5,999,707 to Taniguchi et al. (hereinafter “Taniguchi”), claim 8 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Frolik, Scheidig, and Simpson in view of well-known prior art, claims 11-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Frolik in view of Scheidig, U.S. Patent No. 6,026,436 to Hawes (hereinafter “Hawes”) and Simpson.

Applicant has amended the claim set to more distinctly define over the cited references and respectfully provides the following:

#### **Rejections under 35 U.S.C. § 103(a):**

M.P.E.P. § 2141 sets forth the *Graham* factual enquiries that should be considered when making an obviousness rejection under Section 103: 1) ascertaining the scope and content of the prior art; 2) ascertaining the differences between the claimed invention and the prior art; and 3) resolving the level of ordinary skill in the pertinent art. (Citing *Graham v. John Deere*, 383 U.S. 1, 148 USPQ 459 (1966).) In addition, M.P.E.P. §§ 2141 and 2142 set forth that “the analysis

supporting a rejection under 35 U.S.C. 103 should be made explicit.” (Citing *KSR International Co. v. Teleflex Inc. (KSR)*, 550 U.S. \_\_\_, 82 USPQ2d 1385 (2007).)

For a rejection under Section 103 to stand, it must explicitly set forth 1) factual findings showing that each claim element was known in the art at the time of the invention, and 2) factual findings showing that one of ordinary skill in the art, at the time of the invention, would have found it obvious to modify or combine the teachings to arrive at the claimed invention. (See, for example, the enumerated required articulations set forth in M.P.E.P. § 2143 for each lettered rationale.) Applicant respectfully submits that the references in the Office Action, either alone or in combination, do not teach or suggest all the limitations claimed in the claim set provided herein.

Independent claim 1 requires: “In a printing environment, a method for specifying application specific printing requirements for an arbitrary printing device, the method comprising: providing a printing device having a plurality of default device setting sets stored in memory of the printing device; configuring one of the default device setting sets by selectively associating an application specific name with one of: (i) a standard default setting set; and (ii) an application specific default setting; identifying which of the default device setting sets are to be used in rendering a particular print job; and rendering the print job using the identified default device setting set without further preparation of the print data regardless of the default print setting set selected.” Such limitations are not taught by the combination of Frolik, Scheidig, and Simpson.

As discussed in the last prior response and acknowledged in the Office Action, neither Frolik nor Scheidig teach rendering the print job using the identified default device setting set without further preparation of the print data regardless of the default print setting set selected.

The new rejection adds Simpson, suggesting that Simpson stands for the proposition of rendering the print job without further preparation of the print data regardless of the default print setting set selected. Applicant respectfully submits that Simpson fails to show that one of skill in the art would have found it obvious to practice the rejected claim limitation. Simpson merely discloses a system where a web application permits generation of a print job without requiring use of a local printer driver. (See Abstract, Col. 7 lines 5-13.) The mere generation of a print job without the use of a printer driver does not disclose rendering a print job using an identified default device setting set selected from a group of setting sets without further preparation of the print data regardless of the default print setting set selected.

Applicant respectfully notes that Simpson does not disclose the use of multiple default setting sets, and does not disclose any details with respect to processing of the received print jobs by the web server other than to state that the print job is provided to a printer control program that prints the job. (See Col. 14 lines 27-31.) Thus, the description of Simpson additionally fails to teach that no further preparation of the print data occurs, as Simpson fails to disclose what, if any preparation of the print job occurs after the print job is sent to the web server.

Applicant also respectfully submits that the Office Action fails to show that one of skill in the art would have found it obvious to combine reference teachings or to modify the references' teachings to arrive at the claimed invention. As discussed in detail in the last prior response, one problem with the teachings of Frolik is that the application of Frolik must insert printer settings in a format compatible with the print job (e.g. PostScript format, PCL format, etc.). The system of Frolik functions by using additional processing to insert print job settings into the print job, in direct contrast to the claimed invention.

As additionally discussed in the last prior response, Scheidig uses printer-stored setup data sets for use with a detected incoming print data printer language, which are not printer setting sets of the type disclosed in Frolik. The proposed motivation for combining Frolik and Scheidig of storing data locally to increase retrieval speed would not be achieved by adding the features of Scheidig to Frolik, as Frolik already discloses that setting sets are stored locally. (See Fig. 1: Data Files 181 containing the settings are stored on the local Client 106, and (Fig. 3) are retrieved therefrom and used by the application to modify the printer input.)

Finally, it has been proposed in the Office Action that one of skill in the art would find it obvious to combine features of Simpson with those of Frolik and Scheidig for the purposes of obviating the need to configure a computer for printing on multiple different printers. Applicant respectfully disagrees and submits that one of skill in the art would not find it obvious to combine teachings of Simpson with those of Frolik and/or Scheidig. Frolik is directed to local printing of remotely-stored documents. (See Fig. 1; Col. 2 lines 27-31) As such, the system of Frolik is not concerned with printing across multiple dependent printers, and no benefit would be obtained from incorporating teachings of Simpson, as Simpson is directed to server-based remote printing of local content. (See Col. 7 lines 31-39.)

As none of the cited references teach the recited claim limitations, the cited references, when combined, also fail to teach the recited limitations. Additionally, one of skill in the art would not have found it obvious to modify or combine reference teachings in the manner suggested in the Office Action. Therefore, one of skill in the art would not have found the claimed invention of claim 1 obvious over the cited references, given the differences between the limited disclosure of the cited references and the claimed invention.

Independent claim 14 contains similar limitations to those discussed above with respect to claim 1, and is therefore similarly allowable. Claims 2-10 and 15-20 depend from one of allowable claims 1 and 14, respectively, and are therefore similarly allowable.

Independent claim 11 also includes similar limitations to those discussed above. Specifically, claim 11 requires: “wherein one of the default device setting sets is selected based on a characteristic of a particular print job and used at the printing device in rendering the particular print job without further preparation of the print data regardless of the default device setting set used.” Such limitation is not taught by Frolik, Scheidig, or Simpson, as discussed above. Hawes also fails to teach such limitations. Therefore, one of skill in the art would not have found the claimed invention of claim 11 obvious over the cited references, given the differences between the limited disclosure of the cited references and the claimed invention. Claims 12-13 depend from claim 11 and are therefore also allowable.

Further, regarding the limitations of dependent claim 4 and independent claim 11, claim 4 recites: “A method as recited in claim 3, wherein the characteristic is one of: (i) a job name; (ii) a user name; (iii) an account code; and (iv) a department code.” Despite the Office Action citing a different passage of Frolik in the instant rejection of such claims, Frolik does not teach such limitations. The Office Action fails to show that Frolik teaches the use of the specific characteristics recited in these claims, and instead relies on Frolik’s teaching of the use of a hierarchical order of settings that do not relate to the cited features. Thus, Frolik fails to teach selection of a default device setting set to be used based on a characteristic of the print job, the characteristic being one of a job name, a user name, an account code, or a department code. For this additional reason, Claim 4 is not made obvious by the cited references. Claim 11 includes

similar limitations and is also therefore not made obvious by the cited references for at least this additional reason.

Applicant therefore respectfully requests removal of all rejections under 35 U.S.C. § 103(a).

CONCLUSION

Applicant submits that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicant requests favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

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Respectfully submitted,

  
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